

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 66 – HB 99

April 8, 2013

SUMMARY OF ORIGINAL BILL: Enhances assault under Tenn. Code Ann. § 39-13-101(a)(1) and (2) from a Class A misdemeanor to a Class E felony, if the victim is a law enforcement officer, emergency medical or rescue worker, emergency medical technician, paramedic, or firefighter. Removes the increased maximum fine for assaulting a law enforcement officer under Tenn. Code Ann. § 39-13-101(b)(2).

Enhances aggravated assault, Tenn. Code Ann. § 39-13-102, from a Class C or Class D felony to a Class B or Class C felony, if the victim is a law enforcement officer, emergency medical or rescue worker, emergency medical technician, paramedic, or firefighter. Removes the increased maximum fine for aggravatingly assaulting a law enforcement officer under Tenn. Code Ann. § 39-13-102(e)(1).

Requires a minimum sentence of 20 years for second degree murder, Tenn. Code Ann. § 39-13-210, if the victim is a law enforcement officer, emergency medical or rescue worker, emergency medical technician, paramedic, or firefighter.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures – \$1,728,300/Incarceration*

SUMMARY OF AMENDMENT (006171): Deletes all language after the enacting clause.

Increases the maximum fine for aggravated assaults from \$5,000 to \$15,000 if the victim of the assault is a law enforcement officer, firefighter, medical fire responder, paramedic, emergency medical technician, or other first responder who was assaulted while discharging or attempting to discharge their official duties.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

NOT SIGNIFICANT

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Assumptions for the bill as amended:

- Broadening the application of the maximum fine will result in more fines being imposed.
- Based on the Fiscal Review Committee's 2008 study of incarceration costs and fines, collection of fines for felony offenses is negligible. There will not be a significant increase in revenue as a result of the mandatory minimum fines for these offenses.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

/trm